

Exhibit 6



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

April 19, 2010

RE: HERITAGE - WTI, INC. (WTI)
FACILITY ID 0215020233
NOTICE OF VIOLATION

CERTIFIED MAIL

John Peterka, President
Heritage-WTI, Inc. (WTI)
1250 St. George Street
East Liverpool, OH 43920

Dear Mr. Peterka:

The purpose of this letter is to notify you that Heritage-WTI, Inc. (WTI) violated certain terms and conditions contained in its Permit-to-Install (PTI) and Title V operating permit when levels of sulfur dioxide (SO₂), nitrogen oxides (NO_x), total hydrocarbons (THC), carbon monoxide (CO), hydrochloric acid (HCl) and opacity, as measured by the Continuous Emissions Monitors (CEMs) and Continuous Opacity Monitor (COM) at Heritage-WTI and as reported by Heritage-WTI each calendar quarter, were above the permitted levels. Any violation of a term and condition of any permit issued by Ohio EPA is also a violation of Ohio Revised Code (ORC) 3704.05(C).

As stated in our letter dated December 21, 2009, Ohio EPA has followed a policy from U.S. EPA that nonexempt emission exceedences over 5% during any quarter will trigger enforcement action, such as a Notice of Violation (NOV). However, this policy by no means allows any emissions over permitted levels. Ohio EPA reviewed your record of nonexempt excess emissions over the past several years. We find there is a pattern of continued excess emissions, as identified in the table attached to this letter. Furthermore, WTI's PTI and Title V operating permit specify that the data collected by the CEMs and the COM is the primary method of determining compliance with the permitted levels. This is in contrast to facilities with CEMs/COMs whose primary compliance method is stack testing/opacity readings, to which the previously mentioned policy was primarily applicable.

Sulfur Dioxide Emissions:

Section (B)(1)(b) of PTI 17-104, as modified on August 30, 1991, provided a SO₂ emissions limit of 0.116 pound per million Btu of heat input. The attached table identifies violations of this limit for the time period from the first quarter of 1998 through the first quarter of 2007. Part III, A.I.1 of PTI 02-18743, effective on March 22, 2007, provides a SO₂ emissions limit of 11.34 lbs/hr. Section C.5.(b)(1)a of the current Title V operating permit also provides a SO₂ emissions limit of 11.34 lbs/hr. The attached table identifies violations of the 11.34 lbs of the SO₂/hr limit for the time period of the second quarter of 2007 through 2009.

Nitrogen Oxides Emissions:

PTI 17-104, as modified on August 30, 1991, Section (B)(1)(c) provided a NOx emissions limit of 0.290 pound per million Btu of heat input. The attached table identifies violations of this limit for the time period from the first quarter of 1998 through the first quarter of 2007. Part III. A.I.1 of PTI 02-18743, effective on March 22, 2007, provides a NOx emissions limit of 28.36 lbs/hr. Section C.5.(b)(1)a of the current Title V operating permit also provides a NOx emissions limit of 28.36 lbs/hr. The attached table identifies violations of the 28.36 lbs of the NOx/hr limit for the time period of the second quarter of 2007 through 2009.

Total Hydrocarbons Emissions:

PTI 17-104 did not contain a short-term limit for THC. However, the RCRA permit contained a THC limit of 100 ppm. A RCRA permit modification, approved on February 7, 2006, removed the THC limit. The attached table identifies the exceedences of the 100 ppm limit from the first quarter of 1998 through the third quarter of 2003, during when the THC limit was still in the RCRA permit.

40 CFR Part 63, Subpart EEE contains the National Emissions Standards for Hazardous Waste Combustors. These regulations are referred to as MACT. Emission limitations contained in MACT became effective on September 30, 2003. 40 CFR 63.1203(a)(5) and 40 CFR 63.1219(a)(5) provide a THC limit of 10 ppm, by volume, over an hourly rolling average, dry basis and corrected to 7 percent oxygen. Section C.5.(b)(2)f of the current Title V operating permit also provides this limit. The attached table identifies violations of the 10 ppm limit for the time period of the second quarter of 2004 through 2009. The THC reports for the fourth quarter of 2003 and the first quarter of 2004 were still comparing the THC CEMs to the older limit of 100 ppm.

Carbon Monoxide Emissions:

Section (B)(1)(d) of PTI 17-104 provided a CO emissions limit of 0.245 pound per million Btu of heat input. The RCRA permit contained a CO limit of 100 ppm. The RCRA permit modification, approved on February 7, 2006, removed the CO limit. The attached table identifies the exceedences of the 100 ppm limit from the first quarter of 1998 through the third quarter of 2003, during when the CO limit was still in the RCRA permit.

MACT offers a choice to comply with the THC emissions limit of 10 ppm or a CO emissions limit of 100 ppm. WTI chose the THC limit of 10 ppm, instead of the CO emissions limit.

Opacity of Stack Emissions:

Section (B)(1)(e) of PTI 17-104, Part III.A.I.1 of PTI 02-18743, and Section C.5.(b)(1)a of the current Title V operating permit each require visible particulate emissions from the stack to not exceed 20% opacity, as a 6-minute average. The attached table identifies the violations of this limit from the first quarter of 1998 through 2009.

Hydrogen Chloride Emissions:

Section (B)(2)(b) of PTI 17-104 provides a HCl emissions limit of 4 lbs/hr or 1% of the HCl emissions in the stack gas prior to entering any pollution control equipment. The limits in MACT were in effect on September 30, 2003. However, the 4 lbs/hr or 1% limit was still in effect until PTI 02-18743 became effective on March 22, 2007. The attached table identifies the violations of the 4 lbs/hr or 1% limit from the first quarter of 1998 through the first quarter of 2007.

JOHN PETERKA, PRESIDENT
APRIL 19, 2010
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Requested Action:

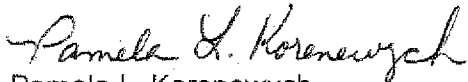
Within 21 days of receipt of this letter, please submit a control plan and schedule to minimize or eliminate the number of nonexempt SO₂, NO_x, THC and opacity exceedences.

Failure to respond to this request in the requested time frame can result in a referral to the Central Office of Ohio EPA for the appropriate enforcement action.

The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC § 3704.06 or for USEPA to seek civil penalties pursuant to federal law. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

Should you have any questions, please contact me at (330) 963-1237 or at pam.korennewych@epa.state.oh.us.

Sincerely,



Pamela L. Korenewych
Environmental Specialist
Division of Air Pollution Control

PLK:bo

pc: Ed Fasko, DAPC, NEDO
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Tom Kalman, DAPC, CO
Todd Brown, DAPC, CO
Lisa Holscher, U.S. EPA
Vince Waggle, Heritage-WTI, Inc.

**Percentage of time each quarter when measured emissions
at Heritage-WTI exceeded a permit emissions limit**

	Permit	NOx	SO2	THC	CO		Opacity	HCI
					100 ppm	0.245 lb/mmBtu		
1998 - 1	PTI 17-104 (see Note 1 pertaining to THC & CO)	2.71%	0.17%	0.07%	2.56%	0.23%	0.00%	0.07%
1998 - 2		3.83%	0.28%	0.07%	4.26%	0.66%	0.02%	0.11%
1998 - 3		2.25%	0.34%	0.03%	2.27%	0.32%	0.06%	0.00%
1998 - 4		0.91%	0.80%	0.07%	2.22%	0.44%	0.06%	0.15%
1999 - 1		0.08%	0.49%	0.05%	3.16%	0.56%	0.44%	0.07%
1999 - 2		0.64%	0.16%	0.07%	7.81%	1.76%	0.40%	0.16%
1999 - 3		1.12%	0.07%	0.08%	5.33%	0.68%	0.03%	0.00%
1999 - 4		0.50%	0.70%	0.09%	5.24%	0.78%	0.04%	0.00%
2000 - 1		0.13%	0.62%	0.07%	5.42%	0.26%	0.15%	0.14%
2000 - 2		0.11%	0.44%	0.12%	9.58%	2.06%	0.05%	1.48%
2000 - 3		0.42%	0.19%	0.03%	6.71%	5.05%	0.06%	0.25%
2000 - 4		0.20%	0.08%	0.04%	10.0%	0.98%	0.43%	0.10%
2001 - 1		0.12%	0.39%	0.12%	11.4%	0.87%	0.03%	0.29%
2001 - 2		0.07%	1.11%	0.08%	8.85%	0.96%	0.07%	0.89%
2001 - 3		0.26%	1.82%	0.12%	12.3%	0.81%	0.10%	0.21%
2001 - 4		0.31%	0.89%	0.04%	8.44%	1.07%	0.28%	0.04%
2002 - 1		0.27%	0.31%	0.06%	9.63%	2.04%	0.76%	0.33%
2002 - 2		0.37%	0.96%	0.05%	5.40%	0.63%	0.64%	0.00%
2002 - 3		1.99%	0.55%	0.53%	5.66%	0.61%	0.69%	1.62%
2002 - 4		0.03%	0.39%	0.11%	5.47%	0.41%	0.42%	0.00%
2003 - 1		0.30%	0.20%	0.05%	1.99%	0.15%	0.16%	0.12%
2003 - 2		0.38%	0.22%	0.01%	2.37%	0.20%	0.40%	0.06%
2003 - 3		1.85%	0.18%	0.04%	2.20%	0.92%	0.18%	0.81%
2003 - 4		4.14%	0.13%	X = 0.02%	See Note 2		0.02%	0.21%
2004 - 1	T5 permit issued 2/18/94	1.69%	0.37%	X = 0.03%	See Note 2		0.50%	0.00%
2004 - 2		0.25%	0.46%	4.60%	See Note 2		0.15%	0.28%
2004 - 3	Limits in PTI 17-104 still effective, while PTI 08-18743 is drafted.	1.80%	0.16%	1.87%	See Note 2		0.21%	0.46%
2004 - 4		0.87%	0.96%	2.58%	See Note 2		0.95%	0.31%
2005 - 1		0.99%	0.44%	3.54%	See Note 2		0.52%	0.00%
2005 - 2		1.27%	0.13%	1.89%	See Note 2		1.09%	0.00%
2005 - 3		0.40%	0.00%	2.29%	See Note 2		0.26%	0.00%
2005 - 4	Therefore, have dual limits	1.70%	0.59%	1.04%	See Note 2		0.53%	0.83%
2006 - 1		0.60%	0.87%	2.04%	See Note 2		0.18%	0.60%
2006 - 2		0.96%	0.30%	1.80%	See Note 2		0.22%	0.26%
2006 - 3		0.51%	0.28%	2.09%	See Note 2		0.34%	0.19%
2006 - 4		0.37%	0.26%	1.08%	See Note 2		0.16%	0.29%
2007 - 1		0.69%	0.57%	0.91%	See Note 2		0.09%	0.08%
2007 - 2	PTI 02-18743 issued 3/22/07	0.46%	0.70%	2.09%	***		0.06%	0.00%
2007 - 3		1.08%	1.50%	0.88%	***		0.08%	See Note 3
2007 - 4	Title V renewal issued 12/22/08	1.26%	1.18%	0.95%	***		0.22%	See Note 3
2008 - 1		1.22%	1.56%	0.64%	***		0.11%	See Note 3
2008 - 2		0.31%	0.85%	1.33%	***		0.29%	See Note 3
2008 - 3		0.93%	1.12%	1.92%	***		0.15%	See Note 3
2008 - 4		5.27%	0.78%	1.44%	***		0.12%	See Note 3

2009 - 1		2.81%	1.18%	1.30%	***	0.07%	See Note 3
2009 - 2		3.39%	1.90%	0.90%	***	0.19%	See Note 3
2009 - 3		3.49%	5.72%	0.61%	***	0.05%	See Note 3
2009 - 4		2.84%	1.74%	0.57%	***	0.12%	See Note 3
PTI 17-104 limits		0.29 lb NOx/mmBtu	0.116 lb SO ₂ /mmBtu	0.245 lb CO/mmBtu.		20% opacity, as 6-min average	4 lbs/hr or 1%
PTI 02-18743 & Title V limits		28.36 lbs NOx / hr	11.34 lbs SO ₂ / hr	See Note 2			See Note 3.

Note 1: PTI 17-104 did not have any short term emissions limit for THC, but it did have a CO limit of 0.245 lb/mmBtu. For the time period up until February 7, 2006, the RCRA permit contained a THC emissions limit of 100 ppm and a CO emissions limit of 100 ppm. The table identifies the exceedences of the CO limit of 100 ppm and 0.245 lb/mmBtu and of the THC limit of 100 ppm during the time period of 1998 through the third quarter of 2003.

Note 2: MACT (or 40 CFR 63, Subpart EEE) become effective on 9/30/03, which is the end of the third quarter of 2003. As of 10/1/03, MACT limits for THC and CO were in effect. MACT provides a choice to comply with the THC limit of 10 ppm by volume, over an hourly rolling average, dry basis, corrected to 7% oxygen and reported as propane; or the CO limit of 100 ppm by volume, over an hourly rolling average, dry basis and corrected to 7% oxygen. WTI chose to comply with the THC limit.

The CO limit in PTI 17-104 remained in effect until the PTI was modified on 3/22/07. Therefore, dual limits existed from 10/1/03 until 3/22/07, when PTI 17-104 was modified in PTI 02-18743 to contain the same limits as MACT. The RCRA permit modification, as approved on February 7, 2006, eliminated the 100 ppm limit for THC and the 100 ppm limit for CO. Therefore, the table only identifies exceedences with the MACT limits during the time period between 10/1/03 through the first quarter of 2007.

X = THC CEM reports were still comparing emissions to the limit of 100 ppm during the fourth quarter of 2003 and first quarter of 2004.

*** PTI 02-18743, issued on 3/22/07, contains the MACT limits. With option given by MACT to only comply with the THC limit, the PTI and Title V permits no longer have an emissions limit for CO.

Note 3: 40 CFR 63.1203(a)(6) provides a limit of 77 ppm, by volume, over an hourly rolling average, dry basis and corrected to 7 percent oxygen for combined hydrogen chloride (HCl) and chlorine gas. As of 10/14/08, 40 CFR 63.1219(a)(6) replaced this limit with 32 ppm, by volume, over an hourly rolling average, dry basis and corrected to 7 percent oxygen. Compliance with the limit is demonstrated by maintaining the Operating Parameter Limits established during a Comprehensive Performance Test. An HCl CEM is not necessary to determine compliance with the MACT limit. The HCl CEM was therefore removed on January 12, 2009.

The PTI 17-104 limit of 4lbs/hr or 1% was still in effect at the time MACT became effective on 9/30/03. PTI modification 02-1843, which contains the same HCL/Cl₂ limit as does MACT, became effective on March 22, 2007 at which time the old limit of 4 lbs/hr or 1% limit was replaced.